

SECTION J, EXHIBIT B

WAGE BOARD DETERMINATION

REGISTER OF WAGE DETERMINATION UNDER  
THE SERVICE CONTRACT ACT  
By direction of the Secretary of Labor

U.S. DEPARTMENT OF LABOR  
EMPLOYMENT STANDARDS ADMINISTRATION  
WAGE AND HOUR DIVISION  
Washington, D.C. 20210

Division of Wage Determinations

Wage Determination No.: 94-2302  
Revision No.: 09  
Date of Last Revision: 07/29/1999

State(s): Mississippi

Areas: Mississippi COUNTIES OF George, Hancock, Harrison, Jackson,  
Pearl River, Stone

\*\* Fringe Benefits Required For All Occupations Included In  
This Wage Determination Follow The Occupational Listing \*\*

OCCUPATION CODE AND TITLE

MINIMUM HOURLY WAGE

Administrative Support and Clerical Occupations:

01011 Accounting Clerk I	\$ 7.51
01012 Accounting Clerk II	\$ 9.42
01013 Accounting Clerk III	\$ 11.29
01014 Accounting Clerk IV	\$ 13.90
01030 Court Reporter	\$ 10.63
01050 Dispatcher, Motor Vehicle	\$ 10.63
01060 Document Preparation Clerk	\$ 8.14
01070 Messenger (Courier)	\$ 6.35
01090 Duplicating Machine Operator	\$ 8.14
01110 Film/Tape Librarian	\$ 8.50
01115 General Clerk I	\$ 6.24
01116 General Clerk II	\$ 7.01
01117 General Clerk III	\$ 7.64
01118 General Clerk IV	\$ 11.46
01120 Housing Referral Assistant	\$ 12.65
01131 Key Entry Operator I	\$ 8.18
01132 Key Entry Operator II	\$ 9.42
01191 Order Clerk I	\$ 8.40
01192 Order Clerk II	\$ 11.21
01261 Personnel Assistant (Employment) I	\$ 9.10
01262 Personnel Assistant (Employment) II	\$ 10.23
01263 Personnel Assistant (Employment) III	\$ 11.17
01264 Personnel Assistant (Employment) IV	\$ 12.54
01270 Production Control Clerk	\$ 13.32
01290 Rental Clerk	\$ 8.98
01300 Scheduler, Maintenance	\$ 8.98
01311 Secretary I	\$ 8.98
01312 Secretary II	\$ 11.23
01313 Secretary III	\$ 12.65
01314 Secretary IV	\$ 13.76
01315 Secretary V	\$ 15.25
01320 Service Order Dispatcher	\$ 8.50
01341 Stenographer I	\$ 7.66
01342 Stenographer II	\$ 8.72
01400 Supply Technician	\$ 13.76
01420 Survey Worker (Interviewer)	\$ 10.63
01460 Switchboard Operator-Receptionist	\$ 7.47
01510 Test Examiner	\$ 11.22
01520 Test Proctor	\$ 11.22
01531 Travel Clerk I	\$ 7.82

01532 Travel Clerk II	\$ 8.29
01533 Travel Clerk III	\$ 8.67
01611 Word Processor I	\$ 7.79
01612 Word Processor II	\$ 8.75
01613 Word Processor III	\$ 9.78

**Automatic Data Processing Occupations:**

03010 Computer Data Librarian	\$ 8.07
03041 Computer Operator I	\$ 7.96
03042 Computer Operator II	\$ 9.77
03043 Computer Operator III	\$ 11.40
03044 Computer Operator IV	\$ 12.10
03045 Computer Operator V	\$ 13.40
03071 Computer Programmer I 1/	\$ 12.34
03072 Computer Programmer II 1/	\$ 15.25
03073 Computer Programmer III 1/	\$ 18.33
03074 Computer Programmer IV 1/	\$ 22.01
03101 Computer Systems Analyst I 1/	\$ 18.43
03102 Computer Systems Analyst II 1/	\$ 20.18
03103 Computer Systems Analyst III 1/	\$ 26.14
03160 Peripheral Equipment Operator	\$ 9.28

**Automotive Service Occupations:**

05005 Automobile Body Repairer, Fiberglass	\$ 14.58
05010 Automotive Glass Installer	\$ 13.49
05040 Automotive Worker	\$ 13.49
05070 Electrician, Automotive	\$ 14.03
05100 Mobile Equipment Servicer	\$ 12.36
05130 Motor Equipment Metal Mechanic	\$ 14.58
05160 Motor Equipment Metal Worker	\$ 13.49
05190 Motor Vehicle Mechanic	\$ 15.56
05220 Motor Vehicle Mechanic Helper	\$ 11.85
05250 Motor Vehicle Upholstery Worker	\$ 12.93
05280 Motor Vehicle Wrecker	\$ 13.49
05310 Painter, Automotive	\$ 14.03
05340 Radiator Repair Specialist	\$ 13.49
05370 Tire Repairer	\$ 12.36
05400 Transmission Repair Specialist	\$ 14.58

**Food Preparation and Service Occupations:**

07010 Baker	\$ 10.72
07041 Cook I	\$ 9.83
07042 Cook II	\$ 10.72
07070 Dishwasher	\$ 8.13
07100 Food Service Worker (Cafeteria Worker)	\$ 8.13
07130 Meat Cutter	\$ 10.72
07250 Waiter/Waitress	\$ 8.53

**Furniture Maintenance and Repair Occupations:**

09010 Electrostatic Spray Painter	\$ 14.12
09040 Furniture Handler	\$ 10.85
09070 Furniture Refinisher	\$ 14.03
09100 Furniture Refinisher Helper	\$ 11.85
09110 Furniture Repairer, Minor	\$ 12.93
09130 Upholsterer	\$ 14.03

**General Service and Support Occupations:**

11030 Cleaner, Vehicles	\$ 8.13
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11060 Elevator Operator	\$ 8.13
11090 Gardener	\$ 9.83
11121 Housekeeping Aide I	\$ 8.13
11122 Housekeeping Aide II	\$ 8.56
11150 Janitor	\$ 8.56
11210 Laborer, Grounds Maintenance	\$ 8.53
11240 Maid or Houseman	\$ 7.67
11270 Pest Controller	\$ 11.76
11300 Refuse Collector	\$ 9.34
11330 Tractor Operator	\$ 9.93
11360 Window Cleaner	\$ 8.53

**Health Occupations:**

12020 Dental Assistant	\$ 10.09
12040 Emergency Medical Technician/Paramedic Ambulance Driver	\$ 10.09
12071 Licensed Practical Nurse I	\$ 9.19
12072 Licensed Practical Nurse II	\$ 10.32
12073 Licensed Practical Nurse III	\$ 11.54
12100 Medical Assistant	\$ 9.02
12130 Medical Laboratory Technician	\$ 10.37
12160 Medical Record Clerk	\$ 10.01
12190 Medical Record Technician	\$ 12.49
12221 Nursing Assistant I	\$ 6.55
12222 Nursing Assistant II	\$ 7.36
12223 Nursing Assistant III	\$ 8.03
12224 Nursing Assistant IV	\$ 9.02
12250 Pharmacy Technician	\$ 11.24
12280 Phlebotomist	\$ 10.32
12311 Registered Nurse I	\$ 12.49
12312 Registered Nurse II	\$ 15.28
12313 Registered Nurse II, Specialist	\$ 15.28
12314 Registered Nurse III	\$ 18.49
12315 Registered Nurse III, Anesthetist	\$ 18.49
12316 Registered Nurse IV	\$ 22.16

**Information and Arts Occupations:**

13002 Audiovisual Librarian	\$ 14.75
13011 Exhibits Specialist I	\$ 12.63
13012 Exhibits Specialist II	\$ 15.35
13013 Exhibits Specialist III	\$ 19.56
13041 Illustrator I	\$ 12.63
13042 Illustrator II	\$ 15.35
13043 Illustrator III	\$ 19.56
13047 Librarian	\$ 15.97
13050 Library Technician	\$ 10.63
13071 Photographer I	\$ 10.98
13072 Photographer II	\$ 12.63
13073 Photographer III	\$ 15.35
13074 Photographer IV	\$ 19.56
13075 Photographer V	\$ 21.56

**Laundry, Drycleaning, Pressing and Related Occups:**

15010 Assembler	\$ 6.00
15030 Counter Attendant	\$ 6.00
15040 Dry Cleaner	\$ 6.94
15070 Finisher, Flatwork, Machine	\$ 6.00
15090 Presser, Hand	\$ 6.00
15100 Presser, Machine, Drycleaning	\$ 6.00
15130 Presser, Machine, Shirts	\$ 6.00
15160 Presser, Machine, Wearing Apparel, Laundry	\$ 6.00

15190 Sewing Machine Operator	\$ 7.36
15220 Tailor	\$ 7.79
15250 Washer, Machine	\$ 6.28

**Machine Tool Operation and Repair Occupations:**

19010 Machine-Tool Operator (Toolroom)	\$ 14.03
19040 Tool and Die Maker	\$ 16.16

**Materials Handling and Packing Occupations:**

21010 Fuel Distribution System Operator	\$ 12.80
21020 Material Coordinator	\$ 13.23
21030 Material Expediter	\$ 13.23
21040 Material Handling Laborer	\$ 9.35
21050 Order Filler	\$ 10.37
21071 Forklift Operator	\$ 10.94
21080 Production Line Worker (Food Processing)	\$ 10.91
21100 Shipping/Receiving Clerk	\$ 9.78
21130 Shipping Packer	\$ 9.78
21140 Store Worker I	\$ 9.57
21150 Stock Clerk (Shelf Stocker; Store Worker II)	\$ 11.15
21210 Tools and Parts Attendant	\$ 10.94
21400 Warehouse Specialist	\$ 10.94

**Mechanics and Maintenance and Repair Occupations:**

23010 Aircraft Mechanic	\$ 16.76
23040 Aircraft Mechanic Helper	\$ 13.62
23050 Aircraft Quality Control Inspector	\$ 17.35
23060 Aircraft Servicer	\$ 14.86
23070 Aircraft Worker	\$ 15.51
23100 Appliance Mechanic	\$ 14.03
23120 Bicycle Repairer	\$ 12.36
23125 Cable Splicer	\$ 15.05
23130 Carpenter, Maintenance	\$ 14.03
23140 Carpet Layer	\$ 13.49
23160 Electrician, Maintenance	\$ 17.50
23181 Electronics Technician, Maintenance I	\$ 13.32
23182 Electronics Technician, Maintenance II	\$ 15.88
23183 Electronics Technician, Maintenance III	\$ 17.25
23260 Fabric Worker	\$ 12.93
23290 Fire Alarm System Mechanic	\$ 14.58
23310 Fire Extinguisher Repairer	\$ 12.36
23340 Fuel Distribution System Mechanic	\$ 14.58
23370 General Maintenance Worker	\$ 13.49
23400 Heating, Refrigeration and Air-Conditioning Mechanic	\$ 14.58
23430 Heavy Equipment Mechanic	\$ 14.58
23440 Heavy Equipment Operator	\$ 14.58
23460 Instrument Mechanic	\$ 16.76
23470 Laborer	\$ 9.87
23500 Locksmith	\$ 14.03
23530 Machinery Maintenance Mechanic	\$ 15.88
23550 Machinist, Maintenance	\$ 14.58
23580 Maintenance Trades Helper	\$ 11.85
23640 Millwright	\$ 14.58
23700 Office Appliance Repairer	\$ 14.03
23740 Painter, Aircraft	\$ 14.03
23760 Painter, Maintenance	\$ 14.03
23790 Pipefitter, Maintenance	\$ 14.63
23800 Plumber, Maintenance	\$ 14.08
23820 Pneudraulic Systems Mechanic	\$ 14.58
23850 Rigger	\$ 15.95

23870 Scale Mechanic	\$ 13.49
23890 Sheet-Metal Worker, Maintenance	\$ 14.69
23910 Small Engine Mechanic	\$ 13.49
23930 Telecommunications Mechanic I	\$ 15.06
23931 Telecommunications Mechanic II	\$ 17.35
23950 Telephone Lineman	\$ 15.06
23960 Welder, Combination, Maintenance	\$ 14.60
23965 Well Driller	\$ 14.58
23970 Woodcraft Worker	\$ 14.58
23980 Woodworker	\$ 12.44

**Personal Needs Occupations:**

24570 Child Care Attendant	\$ 7.28
24580 Child Care Center Clerk	\$ 9.61
24600 Chore Aide	\$ 7.67
24630 Homemaker	\$ 10.71

**Plant and System Operation Occupations:**

25010 Boiler Tender	\$ 14.58
25040 Sewage Plant Operator	\$ 14.03
25070 Stationary Engineer	\$ 15.82
25190 Ventilation Equipment Tender	\$ 11.85
25210 Water Treatment Plant Operator	\$ 14.03

**Protective Service Occupations:**

27004 Alarm Monitor	\$ 11.93
27006 Corrections Officer	\$ 11.47
27010 Court Security Officer	\$ 11.91
27040 Detention Officer	\$ 11.47
27070 Firefighter	\$ 11.51
27101 Guard I	\$ 8.48
27102 Guard II	\$ 13.47
27130 Police Officer	\$ 14.25

**Stevedoring/Longshoremen Occupational Services:**

28010 Blocker and Bracer	\$ 14.27
28020 Hatch Tender	\$ 12.41
28030 Line Handler	\$ 12.41
28040 Stevedore I	\$ 13.68
28050 Stevedore II	\$ 14.83

**Technical Occupations:**

29010 Air Traffic Control Specialist, Center 2/	\$ 24.89
29011 Air Traffic Control Specialist, Station 2/	\$ 17.16
29012 Air Traffic Control Specialist, Terminal 2/	\$ 18.91
29023 Archeological Technician I	\$ 11.55
29024 Archeological Technician II	\$ 12.94
29025 Archeological Technician III	\$ 16.00
29030 Cartographic Technician	\$ 16.00
29035 Computer Based Training (CBT) Specialist/Instructor	\$ 18.43
29040 Civil Engineering Technician	\$ 14.16
29061 Drafter I	\$ 10.78
29062 Drafter II	\$ 12.01
29063 Drafter III	\$ 14.60
29064 Drafter IV	\$ 18.60
29081 Engineering Technician I	\$ 10.21
29082 Engineering Technician II	\$ 11.86
29083 Engineering Technician III	\$ 13.64

29084 Engineering Technician IV	\$ 16.59
29085 Engineering Technician V	\$ 21.14
29086 Engineering Technician VI	\$ 23.29
29090 Environmental Technician	\$ 13.91
29100 Flight Simulator/Instructor (Pilot)	\$ 20.18
29150 Graphic Artist	\$ 18.43
29160 Instructor	\$ 17.72
29210 Laboratory Technician	\$ 13.11
29240 Mathematical Technician	\$ 14.73
29361 Paralegal/Legal Assistant I	\$ 10.63
29362 Paralegal/Legal Assistant II	\$ 13.03
29363 Paralegal/Legal Assistant III	\$ 15.94
29364 Paralegal/Legal Assistant IV	\$ 19.29
29390 Photooptics Technician	\$ 16.00
29480 Technical Writer	\$ 20.03
29491 Unexploded Ordnance Technician I	\$ 15.82
29492 Unexploded Ordnance Technician II	\$ 19.78
29493 Unexploded Ordnance Technician III	\$ 22.95
29494 Unexploded Safety Escort	\$ 16.35
29495 Unexploded Sweep Personnel	\$ 16.35
29620 Weather Observer, Senior 3/	\$ 14.54
29621 Weather Observer, Combined Upper Air & Surface Programs 3/	\$ 13.11
29622 Weather Observer, Upper Air 3/	\$ 13.11

**Transportation/Mobile Equipment Operation Occups:**

31030 Bus Driver	\$ 12.21
31260 Parking and Lot Attendant	\$ 6.82
31290 Shuttle Bus Driver	\$ 8.34
31300 Taxi Driver	\$ 8.09
31361 Truckdriver, Light Truck	\$ 8.34
31362 Truckdriver, Medium Truck	\$ 12.39
31363 Truckdriver, Heavy Truck	\$ 13.13
31364 Truckdriver, Tractor-Trailer	\$ 13.13

**Miscellaneous Occupations:**

99020 Animal Caretaker	\$ 8.95
99030 Cashier	\$ 7.06
99041 Carnival Equipment Operator	\$ 9.42
99042 Carnival Equipment Repairer	\$ 9.83
99043 Carnival Worker	\$ 8.13
99050 Desk Clerk	\$ 7.28
99095 Embalmer	\$ 15.28
99300 Lifeguard	\$ 7.47
99310 Mortician	\$ 16.00
99350 Park Attendant (Aide)	\$ 9.41
99400 Photofinishing Worker (Photo Lab Tech., Darkroom Tech)	\$ 7.47
99500 Recreation Specialist	\$ 11.77
99510 Recycling Worker	\$ 10.83
99610 Sales Clerk	\$ 6.50
99620 School Crossing Guard (Crosswalk Attendant)	\$ 9.35
99630 Sports Official	\$ 7.47
99658 Survey Party Chief (Chief of Party)	\$ 9.30
99659 Surveying Technician (Instr. Person/Surveyor Asst./Instr.)	\$ 8.45
99660 Surveying Aide	\$ 6.16
99690 Swimming Pool Operator	\$ 10.72
99720 Vending Machine Attendant	\$ 10.83
99730 Vending Machine Repairer	\$ 12.32
99740 Vending Machine Repairer Helper	\$ 10.83

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**\*\* Fringe Benefits Required For All Occupations Included In  
This Wage Determination \*\***

**HEALTH & WELFARE:** Life, accident, and health insurance plans, sick leave, pension plans, civic and personal leave, severance pay, and savings and thrift plans. Minimum employer contributions costing an average of \$2.56 per hour computed on the basis of all hours worked by service employees employed on the contract.

**VACATION:** 1 week paid vacation after 1 year of service with a contractor or successor; 2 weeks after 2 years; 3 weeks after 5 years; 4 weeks after 15 years. Length of service includes the whole span of continuous service with the present contractor or successor, wherever employed, and with the predecessor contractors in the performance of similar work at the Federal facility. (Reg. 4.173)

**HOLIDAYS:** Minimum of ten paid holidays per year: New Year's Day, Martin Luther King Jr.'s Birthday, Washington's Birthday, Memorial Day, Independence Day, Labor Day, Columbus Day, Veterans' Day, Thanksgiving Day, and Christmas Day. (A contractor may substitute for any of the named holidays another day off with pay in accordance with a plan communicated to the employees involved.) (See 29 CFR 4.174)

1/

Does not apply to employees employed in a bona fide executive, administrative, or professional capacity as defined and delineated in 29 CFR 541. (See 29 CFR 4.156)

2/

**APPLICABLE TO AIR TRAFFIC CONTROLLERS ONLY - NIGHT DIFFERENTIAL:** An employee is entitled to pay for all work performed between the hours of 6:00 P.M. and 6:00 A.M. at the rate of basic pay plus a night pay differential amounting to 10 percent of the rate of basic pay.

3/

**WEATHER OBSERVERS - NIGHT PAY & SUNDAY PAY:** If you work at night as part of a regular tour of duty, you will earn a night differential and receive an additional 10% of basic pay for any hours worked between 6pm and 6am. If you are a full-time employee (40 hours a week) and Sunday is part of your regularly scheduled workweek, you are paid at your rate of basic pay plus a Sunday premium of 25% of your basic rate for each hour of Sunday work which is not overtime (i.e. occasional work on Sunday outside the normal tour of duty is considered overtime work).

**\*\* UNIFORM ALLOWANCE \*\***

If employees are required to wear uniforms in the performance of this contract (either by the terms of the Government contract, by the employer, by the state or local law, etc.), the cost of furnishing such uniforms and maintaining (by laundering or dry cleaning) such uniforms is an expense that may not be borne by an employee where such cost reduces the hourly rate below that required by the wage determination. The Department of Labor will



accept payment in accordance with the following standards as compliance:

The contractor or subcontractor is required to furnish all employees with an adequate number of uniforms without cost or to reimburse employees for the actual cost of the uniforms. In addition, where uniform cleaning and maintenance is made the responsibility of the employee, all contractors and subcontractors subject to this wage determination shall (in the absence of a bona fide collective bargaining agreement providing for a different amount, or the furnishing of contrary affirmative proof as to the actual cost), reimburse all employees for such cleaning and maintenance at a rate of \$4.25 per week (or \$.85 cents per day). However, in those instances where the uniforms furnished are made of "wash and wear" materials, may be routinely washed and dried with other personal garments, and do not require any special treatment such as dry cleaning, daily washing, or commercial laundering in order to meet the cleanliness or appearance standards set by the terms of the Government contract, by the contractor, by law, or by the nature of the work, there is no requirement that employees be reimbursed for uniform maintenance costs.

**\*\* NOTES APPLYING TO THIS WAGE DETERMINATION \*\***

**Source of Occupational Titles and Descriptions:**

The duties of employees under job titles listed are those described in the "Service Contract Act Directory of Occupations," Fourth Edition, January 1993, as amended by the Second Supplement, dated August 1995, unless otherwise indicated. This publication may be obtained from the Superintendent of Documents, at 202-783-3238, or by writing to the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402. Copies of specific job descriptions may also be obtained from the appropriate contracting officer.

**REQUEST FOR AUTHORIZATION OF ADDITIONAL CLASSIFICATION AND WAGE RATE  
{Standard Form 1444 (SF 1444)}**

**Conformance Process:**

The contracting officer shall require that any class of service employee which is not listed herein and which is to be employed under the contract (i.e., the work to be performed is not performed by any classification listed in the wage determination), be classified by the contractor so as to provide a reasonable relationship (i.e., appropriate level of skill comparison) between such unlisted classifications and the classifications listed in the wage determination. Such conformed classes of employees shall be paid the monetary wages and furnished the fringe benefits as are determined. Such conforming process shall be initiated by the contractor prior to the performance of contract work by such unlisted class(es) of employees. The conformed classification, wage rate, and/or fringe benefits shall be retroactive to the commencement date of the contract. {See Section 4.6 (C) (vi)} When multiple wage determinations are included in a contract, a separate SF 1444 should be prepared for each wage determination to which a class(es) is to be conformed.

The process for preparing a conformance request is as follows:

- 1) When preparing the bid, the contractor identifies the need for a conformed occupation(s) and computes a proposed rate(s).
- 2) After contract award, the contractor prepares a written report listing in order proposed classification title(s), a Federal grade equivalency (FGE) for each proposed classification(s), job description(s), and rationale for proposed wage rate(s), including information regarding the agreement or disagreement of the authorized representative of the employees involved, or where there is no authorized representative, the employees themselves. This report should be submitted to the contracting officer no later than 30 days after such unlisted class(es) of employees performs any contract work.
- 3) The contracting officer reviews the proposed action and promptly submits a report of the action, together with the agency's recommendations and pertinent information including the position of the contractor and the employees, to the Wage and Hour Division, Employment Standards Administration, U.S. Department of Labor, for review. (See section 4.6(b)(2) of Regulations 29 CFR Part 4).
- 4) Within 30 days of receipt, the Wage and Hour Division approves, modifies, or disapproves the action via transmittal to the agency contracting officer, or notifies the contracting officer that additional time will be required to process the request.
- 5) The contracting officer transmits the Wage and Hour decision to the contractor.
- 6) The contractor informs the affected employees.

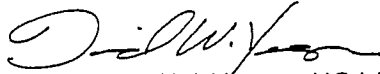
Information required by the Regulations must be submitted on SF 1444 or bond paper.

When preparing a conformance request, the "Service Contract Act Directory of Occupations" (the Directory) should be used to compare job definitions to insure that duties requested are not performed by a classification already listed in the wage determination. Remember, it is not the job title, but the required tasks that determine whether a class is included in an established wage determination. Conformances may not be used to artificially split, combine, or subdivide classifications listed in the wage determination.

SECTION J, EXHIBIT C  
PERFORMANCE EVALUATION PLAN  
FOR EVALUATING THE  
NATIONAL DATA BUOY CENTER  
TECHNICAL SERVICES CONTRACTOR (NTSC)

U.S. DEPARTMENT OF COMMERCE National Oceanic and Atmospheric Administration National Data Buoy Center John C. Stennis Space Center Stennis Space Center, Mississippi 39529-6000		September 13, 1999	
		NUMBER: 702-09-02B	
TITLE: PERFORMANCE EVALUATION PLAN FOR EVALUATING THE NATIONAL DATA BUOY CENTER TECHNICAL SERVICES CONTRACTOR (NTSC)	NOTICE <input type="checkbox"/>	NEW <input type="checkbox"/>	SUPERSEDES <input type="checkbox"/>
	INSTRUCTION <input checked="" type="checkbox"/>	REVISES <input checked="" type="checkbox"/>	CANCELS <input type="checkbox"/>
		NOTICE/INSTRUCTION NO. 702-09-02A	

1. PURPOSE: This instruction sets forth the performance evaluation plan for a Cost Plus Award Fee Technical Services Contract for the National Data Buoy Center at Stennis Space Center.
2. OBJECTIVE: This plan is issued to establish the mechanism and procedure of the technical services provided to the National Data Buoy Center.
3. SCOPE: This plan is applicable to the technical services contract. Its scope covers the functions, organizational structure, evaluation concept, and reporting network. Details of the evaluation and basis for the rating are included in the Performance Evaluation Board's report of findings; the Fee Determination Official determines the fee to be awarded the contractor.
4. RESPONSIBILITIES: The Performance Evaluation Board will use this plan to accomplish its evaluation.

  
 Captain David W. Yeager, NOAA  
 Acting Director, NDBC

Attachment

COST PLUS AWARD FEE  
EVALUATION PLAN

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<u>SECTION</u>	<u>TITLE</u>
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A. Purpose

This Performance Evaluation Plan is issued to establish the mechanism and procedure to be followed in evaluating performance of the technical services contractor in support of the National Data Buoy Center at the John C. Stennis Space Center.

B. Scope

This procedure is applicable to the Technical Services Contract in support of the National Data Buoy Center.

II. DEFINITIONS AND FUNCTIONS

A. Cost-Plus-Award-Fee (CPAF) Contract

A cost reimbursement type contract may have both a fixed base fee and an award fee containing a provision for the unilateral determination by the Government of the amount of award fee earned by the contractor during specified performance.

B. Fee Determination Official (FDO)

The Director of the NDBC is designated as the Fee Determination Official (FDO) for CPAF contracts in accordance with NDBC policy. The FDO's functions include:

1. The appointment of a Performance Evaluation Board (PEB) for the evaluation of contractor performance.
2. The review of award fee recommendations submitted by the Performance Evaluation Board.
3. The determination of the amount of award fee to be allotted the contractor for performance during specified periods. The latter determinations are not subject to the "Disputes" clause of the applicable contract.

C. Performance Evaluation Board (PEB)

A group of NDBC personnel is appointed by the FDO for evaluation of the contractor's performance. A PEB shall consist of a Chairman, the Contracting Officer, the Contracting Officer's Technical Representative, and such other members and alternates as the FDO may deem necessary. The Performance Evaluation Board is responsible for:

1. Establishing the performance evaluation criteria and weighting factors.

3. Recommending commensurate award fees to the FDO for the periods evaluated.

D. Contracting Officer's Technical Representative (COTR)

The COTR is responsible for the day-to-day coordination of contract activities.

E. Achievement Monitors (AM)

NDBC individuals who are the requesters/monitors of Internal Work Requests and who are to evaluate the contractor's performance and to compile data regarding individual IWRs.

F. Achievement Coordinator (AC)

The NDBC individual who has primary responsibility for administering and coordinating evaluation of the contractor's technical performance.

G. Business Monitor (BM)

The NDBC individual who has primary responsibility for evaluation of the contractor's business management performance.

H. Potential Award Fee Pool

The potential award fee pool consists of 85 percent to be earned for the technical performance, 10 percent to be earned for the business performance, and 5 percent to be earned for overall achievement.

III. EVALUATION CONCEPT

A. Evaluation Process

The evaluation process provides informal periodic evaluations and discussions with the contractor and quarterly formal evaluations and award fee recommendations by the Performance Evaluation Board.

B. Contractor Performance

Contractor performance will be evaluated considering three major criteria, as follows:

1. Technical Performance (Individual IWR's)



Performance, calculated from the composite of the weighted scores of each IWR in which hours were charged during the quarter.

IWR's are evaluated considering quality of work performed, timeliness of deliveries or performance, use of resources, management, and other factors relative to the work being performed.

## 2. Business Management

Zero (0) to 10% of Award Fee will be assigned for Business Performance as determined by the Business Monitor based on his/her evaluation of compliance with all business requirements of the contract including cost controls, reporting requirements, control of Government property and facilities, fair labor practices and regulatory requirements, insurance, Small Business Subcontracting Plan, and Equal Employment Opportunity (EEO) compliance.

This score is separate from and in addition to the scoring of specific IWRs for management functions which are graded under Technical Performance.

## 3. Overall Achievement

Zero (0) to 5% of Award Fee is to be assigned based on overall contractor performance in supporting NDBC's goals and mission and will be graded by the Control Technical Directive (CTD) Monitors.

Each CTD monitor may recommend or not recommend the full prorated portion of the total of 5% of Award Fee.

## C. Business Monitor and Achievement Coordinators

The Business Monitor will be responsible for the administration of the "Business Management" aspects of evaluation, and the Achievement Coordinator will be responsible for the "Technical" aspects of evaluation. The Achievement Coordinator will collect and compile data from Technical Monitors and transform it into formats suitable for periodic discussions with the contractor and preparation of quarterly evaluation reports for presentation to the Board.

## D. Award Fee Recommendations

The PEB will consider the material compiled by the Achievement Coordinator to arrive at an equitable Award Fee recommendation to the FDO. The "Award Fee Findings and Determination" for the signature of the FDO will be prepared on a quarterly basis and will synopsize the findings of the board and translate those findings into a dollar figure for the approval of the FDO.

A. Purpose

The purpose of this section is to establish the procedures for evaluating the contractor's business performance on a quarterly basis.

B. Evaluation Criteria

1. Accuracy, timeliness and completeness of required reports (including compliance with the Small Business Subcontracting Plan).
2. EEO
  - a. Is the EEO plan written and current? Does it comply with contract requirements?
  - b. What actions were noted during the reporting period for complying with the written policy? Examples:
    - (1) How many position vacancies?
    - (2) Number of minority personnel interviewed?
    - (3) How many community type actions taken to promote Equal Employment Opportunity?
  - c. Was a report required during the reporting period? Was the report submitted timely?
3. The Business Monitor will review the costs incurred on a monthly basis to ascertain that the cost system is current and provides for adequate cost accumulation under the contract. This report will contain appropriate comments for any pertinent consideration to be treated at the board level and applicable fees for this area.

V. TECHNICAL PERFORMANCE EVALUATION PROCEDURES

A. Purpose

The purpose of this section is to establish the procedures for evaluating the contractor's technical performance on a quarterly basis.

B. Evaluation of Work Covered by Technical Directives or IWR's

1. The Technical Directives and individual IWR's define, assign and control specific effort performed under Control Technical Directives.

- a. Weighting factors for Criticality and Complexity are to be defined and recorded onto the each IWR when the IWR is issued.

One (1) to 10 points for Criticality of the effort to achieving NDBC's missions;

One (1) to 5 points for the Complexity/uniqueness of the skill level required;

An additional weighting factor for each IWR is given for the actual number of man-hours expended over the duration of the grading period. One point is given for each 50 labor hours (or fraction of 50 labor hours) expended in that quarter.

- b. Contractor performance

Contractor performance on each IWR is to be assessed by the IWR requestor/monitor. At the end of each quarter, each IWR monitor is to determine and report a score (to be based at scorer's discretion on quality, timeliness, cost, etc.) for each IWR to the CTD Monitor. Scores are to be on a 0 to 5 scale with "4" corresponding to fully meeting the Government's requirements; a score above "4" (and up to "5") corresponds to exceeding requirements in a way that is of significant benefit to the Government; a score below "4" (and down to "0") corresponds to efforts which fall short of meeting the Government's requirements. Each CTD Monitor may require from the IWR monitor a supporting justification for any IWR score which the CTD Monitor feels warrants explanation.

When combined with respect to weighting factors (the sum of the products of each individual IWR Score and its associated Weight, divided by the sum of the Weights) the resultant Technical Score will fall between 5.0 and 0.0 and will correlate as follows with the Maximum 85% of Award Fee which is allocated to the Technical Performance area:

Combined IWR

<u>Score</u>	<u>% of Award Fee assigned for Technical Performance</u>
5.0	85% (Maximum; Exceeds Government Requirement)
4.0	80% (Fully Meets Government Requirement)
3.0	75% (Less than required)
2.0	70% (Less than required)
1.0	65% (Less than required)
0.0	0 % (Less than required)

See attachment for sample.

### 3. Achievement Coordinator's Responsibilities

- a. The Achievement Coordinator will review all Achievement Monitor Reports for completeness and accuracy. The Coordinator will provide the number of labor hours expended over the period for each IWR to the IWR monitors.
- b. Compile the overall achievement rating and submit to the PEB.

### C. OVERALL PERFORMANCE

Each CTD monitor is to evaluate overall NTSC performance in supporting NDBC's goals and mission during the evaluation period. He/she is to recommend how much, if any, of his/her pro-rated portion of the total of 5% of Award Fee shall be given to the contractor.

### D. ADDITIONAL POINTS

If the Awarded Fee (sum of Business, CTD, and Technical portions) is less than the potential quarterly Award Fee, the voting members of the PEB may add up to 2% of award fee (to a maximum total of 100% of quarterly Award Fee) for each of two previously specified NDBC Strategic Goals achieved during the Quarter. The strategic goals will be defined by the PEB prior to the start of each contract option year.

(Note: No more than 25% of maximum annual Award Fee may be granted in any Quarter.)

### VI. RECORDS

The rationale used in development of ratings and weightings by Achievement Monitors will be documented and filed for use as backup information. All evaluation backup material will be maintained in the files of the Achievement Monitors for the total life of the contract. In the event any of the Achievement Monitors will no longer function in these capacities, their evaluation backup materials will be turned over to the Achievement Monitors assigned to replace them. If this turnover is not practical, the materials will be transferred to the files of the Achievement Coordinator.

# Example Worksheet

IWR	MH in QTR (actual) rounded up	Effort Ef = MH / 50	Criticality (Cr) (1 to 10)	Complexity (Cx) (1 to 5)	Weighting Factor WF = Ef+Cr+Cx	IWR Score S = 0 to 5	Weighted Score WF * S
1	178	4	7	4	15	4.5	67.5
2	416	9	8	3	20	4	80
3	15	1	9	5	15	4	60
4	1280	26	6	1	33	3.5	115.5
					sum WF =	83	sum(WF*S)= 323
Technical score =					sum WF / sum(WF*S)=		
Business score =					3.892 corresponds to		
CTD award =					77.84 (out of 85)		
					9.5 (out of 10)		
					3 (out of 5)		
					sub-total		
					90.34 (out of 100)		
Strategic points					1 (out of 2)		
Total Award Fee % for Quarter					91.34 ( 100 max)		

SECTION J, EXHIBIT D

CONTRACTOR'S SMALL, SMALL DISADVANTAGED

AND

WOMEN-OWNED SMALL BUSINESS

SUBCONTRACTING PLAN



**Small/Small Disadvantaged/Women-Owned/HUBZone/HBCU/MI  
Subcontracting Plan**

**Including  
Approved Master Subcontracting Plan Effective  
01 January 2000 through 31 December 2002**

Pages O4 through O23 Redacted  
Exemption 4

## PART IV - REPRESENTATIONS AND INSTRUCTIONS

SECTION K - REPRESENTATIONS, CERTIFICATIONS, AND  
OTHER STATEMENTS OF OFFERORS52.203-11 CERTIFICATION AND DISCLOSURE REGARDING  
PAYMENTS TO INFLUENCE CERTAIN FEDERAL TRANSACTIONS  
DEVIATION (JAN 1990)

- (a) The definitions and prohibitions contained in the clause, at FAR 52.203-12, Limitation on Payments to Influence Certain Federal Transactions, included in this solicitation, are hereby incorporated by reference in paragraph (b) of this certification.
- (b) The offeror, by signing its offer, hereby certifies to the best of his or her knowledge and belief as of December 23, 1989 that--
- (1) No Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress on his or her behalf in connection with the awarding of a contract resulting from this solicitation;
  - (2) If any funds other than Federal appropriated funds (including profit or fee received under a covered Federal transaction) have been paid, or will be paid, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress on his or her behalf in connection with this solicitation, the offeror shall complete and submit with its offer, OMB standard form LLL, Disclosure of Lobbying Activities, to the Contracting Officer, and
  - (3) He or she will include the language of this certification in all subcontract awards at any tier and require that all recipients of subcontract awards in excess of \$100,000 shall certify and disclose accordingly.
- (c) Submission of this certification and disclosure is a prerequisite for making or entering into this contract imposed by section 1352, title 31, United States Code. Any person who makes an expenditure prohibited under this provision or who fails to file or amend this disclosure form to be filed or amended by this provision, shall be subject to a civil penalty of not less than \$10,000, and not more than \$100,000, for each such failure.



## 52.204-3 TAXPAYER IDENTIFICATION (JUN 1997)

## (a) Definitions.

"Common parent," as used in this solicitation provision, means that corporate entity that owns or controls an affiliated group of corporations that files its Federal income tax returns on a consolidated basis, and of which the offeror is a member.

"Corporate status," as used in this solicitation provision, means a designation as to whether the offeror is a corporate entity, an unincorporated entity (e.g., sole proprietorship or partnership), or a corporation providing medical and health care services.

"Taxpayer Identification Number (TIN)," as used in this solicitation provision, means the number required by the IRS to be used by the offeror in reporting income tax and other returns.

- (b) All offerors are required to submit the information required in paragraphs (c) through (e) of this solicitation provision in order to comply with reporting requirements of 26 U.S.C. 6041, 6041A, and 6050M and implementing regulations issued by the Internal Revenue Service (IRS). If the resulting contract is subject to the reporting requirements described in FAR 4.903, the failure or refusal by the offeror to furnish the information may result in a 31 percent reduction of payments otherwise due under the contract.

(c) Taxpayer Identification Number (TIN).

☒ TIN:                     .

☐ TIN has been applied for.

☐ TIN is not required because:

☐ Offeror is a nonresident alien, foreign corporation, or foreign partnership that does not have income effectively connected with the conduct of a trade or business in the U.S. and does not have an office or place of business or a fiscal paying agent in the U.S.;

☐ Offeror is an agency or instrumentality of a foreign government;

☐ Offeror is an agency or instrumentality of a Federal, state, or local government;

☐ Other. State basis.

1.2 (Continued)

## (d) Corporate Status.

☐ Corporation providing medical and health care services, or engaged in the billing and collecting of payments for such services;

☒ Other corporate entity;

☐ Not a corporate entity:

☐ Sole proprietorship

☐ Partnership

☐ Hospital or extended care facility described in 26 CFR 501(c)(3) that is exempt from taxation under 26 CFR 501(a).

## (e) Common Parent.

☒ Offeror is not owned or controlled by a common parent as defined in paragraph (a) of this provision.

☐ Name and TIN of common parent:

Name \_\_\_\_\_

TIN \_\_\_\_\_

.3

52.204-5 WOMEN-OWNED BUSINESS (OTHER THAN SMALL BUSINESS)  
(MAY 1999)

(a) Definition. Women-owned business concern, as used in this provision, means a concern which is at least 51 percent owned by one or more women; or in the case of any publicly owned business, at least 51 percent of its stock is owned by one or more women; and whose management and daily business operations are controlled by one or more women.

(b) Representation. [Complete only if the offeror is a women-owned business concern and has not represented itself as a small business concern in paragraph (b)(1) of FAR 52.219-1, Small Business Program Representations, of this solicitation.] The offeror represents that it ☐ is, ☒ is not a women-owned business concern.

.4

52.209-5 CERTIFICATION REGARDING DEBARMENT, SUSPENSION,  
PROPOSED DEBARMENT, AND OTHER RESPONSIBILITY MATTERS  
(MAR 1996)

(a) (1) The Offeror certifies, to the best of its knowledge and belief, that--

4 (Continued)

(i) The Offeror and/or any of its Principals-

- (A) Are ( ) are not ( x ) presently debarred, suspended, proposed for debarment, or declared ineligible for the award of contracts by any Federal agency;
- (B) Have ( ) have not ( X ), within a three-year period preceding this offer, been convicted of or had a civil judgment rendered against them for: commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, state, or local) contract or subcontract; violation of Federal or state antitrust statutes relating to the submission of offers; or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, or receiving stolen property; and
- (C) Are ( ) are not ( x ) presently indicted for, or otherwise criminally or civilly charged by a governmental entity with, commission of any of the offenses enumerated in subdivision (a) (1) (i) (B) of this provision.

(ii) The Offeror has ( ) has not ( X ), within a three-year period preceding this offer, had one or more contracts terminated for default by any Federal agency.

- (2) "Principals," for the purposes of this certification, means officers; directors; owners; partners; and, persons having primary management or supervisory responsibilities within a business entity (e.g., general manager; plant manager; head of a subsidiary, division, or business segment, and similar positions).

THIS CERTIFICATION CONCERNS A MATTER WITHIN THE JURISDICTION OF AN AGENCY OF THE UNITED STATES AND THE MAKING OF A FALSE, FICTITIOUS, OR FRAUDULENT CERTIFICATION MAY RENDER THE MAKER SUBJECT TO PROSECUTION UNDER SECTION 1001, TITLE 18, UNITED STATES CODE.

- (b) The Offeror shall provide immediate written notice to the Contracting Officer if, at any time prior to contract award, the Offeror learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
- (c) A certification that any of the items in paragraph (a) of this

(Continued)

provision exists will not necessarily result in withholding of an award under this solicitation. However, the certification will be considered in connection with a determination of the Offeror's responsibility. Failure of the Offeror to furnish a certification or provide such additional information as requested by the Contracting Officer may render the Offeror nonresponsible.

- (d) Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render, in good faith, the certification required by paragraph (a) of this provision. The knowledge and information of an Offeror is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
- (e) The certification in paragraph (a) of this provision is a material representation of fact upon which reliance was placed when making award. If it is later determined that the Offeror knowingly rendered an erroneous certification, in addition to other remedies available to the Government, the Contracting Officer may terminate the contract resulting from this solicitation for default.

#### 52.215-4 TYPE OF BUSINESS ORGANIZATION (OCT 1997)

The offeror or respondent, by checking the applicable box, represents that--

- (a) It operates as ☐ an individual, ☐ a partnership, ☐ a nonprofit organization, ☐ a joint venture, or ☒ a corporation incorporated under the laws of the State of Delaware.
- (b) If the offeror or respondent is a foreign entity, it operates as ☐ an individual, ☐ a partnership, ☐ a nonprofit organization, ☐ a joint venture, or ☐ a corporation, registered for business in (country) \_\_\_\_\_.

#### 52.219-1 SMALL BUSINESS PROGRAM REPRESENTATIONS (MAY 1999)

- (a) (1) The standard industrial classification (SIC) code for this acquisition is 8744.
- (2) The small business size standard is \$5,000,000.0 million average annual receipts for an offeror's preceding 3 fiscal years.
- (3) The small business size standard for a concern which submits an offer in its own name, other than on a construction or service contract, but which proposes to furnish a product which it did not itself manufacture, is 500 employees.

## K.6 (Continued)

## (b) Representations

- (1) The offeror represents as part of its offer that it ☐ is, ☒ is not a small business concern.
- (2) (Complete only if the offeror represented itself as a small business concern in paragraph (b)(1) of this provision.) The offeror represents, for general statistical purposes, that it ☐ is, ☐ is not, small disadvantaged business concern as defined in 13 CFR 124.1002.
- (3) (Complete only if the offeror represented itself as a small business concern in paragraph (b)(1) of this provision.) The offeror represents as part of its offer that it ☐ is, ☐ is not a women-owned small business concern.

## (c) Definitions.

"Small business concern," as used in this provision, means a concern, including its affiliates, that is independently owned and operated, not dominant in the field of operation in which it is bidding on Government contracts, and qualified as a small business under the criteria in 13 CFR Part 121 and the size standard in paragraph (a) of this provision.

"Women-owned small business concern," as used in this provision, means a small business concern--

- (1) Which is at least 51 percent owned by one or more women or, in the case of any publicly owned business, at least 51 percent of the stock of which is owned by one or more women; and
- (2) Whose management and daily business operations are controlled by one or more women.

## (d) Notice.

- (1) If this solicitation is for supplies and has been set aside, in whole or in part, for small business concerns, then the clause in this solicitation providing notice of the set-aside contains restrictions on the source of the end items to be furnished.
- (2) Under 15 U.S.C. 645(d), any person who misrepresents a firm's status as a small, small disadvantaged, or women-owned small business concern in order to obtain a contract to be awarded under the preference programs established pursuant to section 8(a), 8(d), 9, or 15 of the Small Business Act or any other provision of

## 6.6 (Continued)

Federal law that specifically references section 8(d) for a definition of program eligibility, shall-

- (i) Be punished by imposition of fine, imprisonment, or both;
- (ii) Be subject to administrative remedies, including suspension and debarment; and
- (iii) Be ineligible for participation in programs conducted under the authority of the Act.

7 52.219-22 SMALL DISADVANTAGED BUSINESS STATUS  
(OCT 1998)

(a) General. This provision is used to assess an offeror's small disadvantaged business status for the purpose of obtaining a benefit on this solicitation. Status as a small business and status as a small disadvantaged business for general statistical purposes is covered by the provision at FAR 52.219-1, Small Business Program Representation.

(b) Representations.

(1) General. The offeror represents, as part of its offer, that it is a small business under the size standard applicable to this acquisition; and either--

[ ] (i) It has received certification by the Small Business Administration as a small disadvantaged business concern consistent with 13 CFR 124, Subpart B; and

(A) No material change in disadvantaged ownership and control has occurred since its certification;

(B) Where the concern is owned by one or more disadvantaged individuals, the net worth of each individual upon whom the certification is based does not exceed \$750,000 after taking into account the applicable exclusions set forth at 13 CFR 124.104(c)(2); and

(C) It is listed, on the date of this representation, on the register of small disadvantaged business concerns maintained by the Small Business Administration; or

[ ] (ii) It has submitted a completed application to the Small Business Administration or a Private Certifier to be certified as a small disadvantaged business concern in accordance with 13 CFR 124,

## K.7 (Continued)

Subpart B, and a decision on that application is pending, and that no material change in disadvantaged ownership and control has occurred since its application was submitted.

- (2) [ ] For Joint Ventures. The offeror represents, as part of its offer, that it is a joint venture that complies with the requirements at 13 CFR 124.1002(f) and that the representation in paragraph (b)(1) of this provision is accurate for the small disadvantaged business concern that is participating in the joint venture. [The offeror shall enter the name of the small disadvantaged business concern that is participating in the joint venture: \_\_\_\_\_.]
- (c) Penalties and Remedies. Anyone who misrepresents any aspects of the disadvantaged status of a concern for the purposes of securing a contract or subcontract shall--
- (1) Be punished by imposition of a fine, imprisonment, or both;
  - (2) Be subject to administrative remedies, including suspension and debarment; and
  - (3) Be ineligible for participation in programs conducted under the authority of the Small Business Act.

## K.8 RESERVED

K.9 52.222-22 PREVIOUS CONTRACTS AND COMPLIANCE REPORTS  
(FEB 1999)

The offeror represents that--

- (a) It [X] has, [ ] has not participated in a previous contract or subcontract subject to the Equal Opportunity clause of this solicitation;
- (b) It [X] has, [ ] has not filed all required compliance reports; and
- (c) Representations indicating submission of required compliance reports, signed by proposed subcontractors, will be obtained -- before subcontract awards.

## 52.222-25 AFFIRMATIVE ACTION COMPLIANCE (APR 1984)

The offeror represents that (a) it [X] has developed and has on file, [ ] has not developed and does not have on file, at each establishment, affirmative action programs required by the rules and regulations of the Secretary of Labor (41 CFR 60-1 and 60-2), or (b) it [ ] has not previously had contracts subject to the written affirmative action programs requirement of the rules and regulations of the Secretary of Labor.

## 52.223-1 CLEAN AIR AND WATER CERTIFICATION (APR 1984)

The Offeror certifies that--

- (a) Any facility to be used in the performance of this proposed contract is [ ], is not [X] listed on the Environmental

Protection Agency (EPA) List of Violating Facilities;

- (b) The Offeror will immediately notify the Contracting Officer, before award, of the receipt of any communication from the Administrator, or a designee, of the EPA, indicating that any facility that the Offeror proposes to use for the performance of the contract is under consideration to be listed on the EPA List of Violating Facilities; and

- (c) The Offeror will include a certification substantially the same as this certification, including this paragraph (c), in every nonexempt subcontract.

## 52.223-13 CERTIFICATION OF TOXIC CHEMICAL RELEASE REPORTING (OCT 1996)

- (a) Submission of this certification is a prerequisite for making or entering into this contract imposed by Executive Order 12969, August 8, 1995.

- (b) By signing this offer, the offeror certifies that--

- (1) As the owner or operator of facilities that will be used in the performance of this contract that are subject to the filing and reporting requirements described in section 313 of the Emergency Planning and Community Right-to-Know Act of 1986 (EPCRA) (42 U.S.C. 11023) and section 6607 of the Pollution Prevention Act of 1990 (PPA) (42 U.S.C. 13106), the offeror will file and continue to file for such facilities for the life of the contract the Toxic Chemical Release Inventory Form (Form R) as described in sections 313(a) and (g) of EPCRA and section 6607 of PPA; or--



C.12 (Continued)

(2) None of its owned or operated facilities to be used in the performance of this contract is subject to the Form R filing and reporting requirements because each such facility is exempt for at least one of the following reasons: (Check each block that is applicable.)

☐ (i) The facility does not manufacture, process, or otherwise use any toxic chemicals listed under section 313(c) of EPCRA, 42 U.S.C. 11023(c);

☐ (ii) The facility does not have 10 or more full-time employees as specified in section 313(b)(1)(A) of EPCRA, 42 U.S.C. 11023(b)(1)(A);

☒ (iii) The facility does not meet the reporting thresholds of toxic chemicals established under section 313(f) of EPCRA, 42 U.S.C. 11023(f) (including the alternate thresholds at 40 CFR 372.27, provided an appropriate certification form has been filed with EPA);

☒ (iv) The facility does not fall within Standard Industrial Classification Code (SIC) designations 20 through 39 as set forth in Section 19.102 of the Federal Acquisition Regulations; or

☐ (v) The facility is not located within any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the United States Virgin Islands, the Northern Mariana Islands, or any other territory or possession over which the United States has jurisdiction.

3 52.227-15 REPRESENTATION OF LIMITED RIGHTS DATA AND RESTRICTED COMPUTER SOFTWARE (MAY 1999)

(a) This solicitation sets forth the work to be performed if a contract award results, and the Government's known delivery requirements for data (as defined in FAR 27.401). Any resulting contract may also provide the Government the option to order additional data under the Additional Data Requirements clause at 52.227-16 of the FAR, if included in the contract. Any data delivered under the resulting contract will be subject to the Rights in Data--General clause at 52.227-14 that is to be included in this contract. Under the latter clause, a Contractor may withhold from delivery data that qualify as limited rights data or restricted computer software, and deliver form, fit, and function data in lieu thereof. The latter clause also may be used with its

## K.13 (Continued)

Alternates II and/or III to obtain delivery of limited rights data or restricted computer software, marked with limited rights or restricted rights notices, as appropriate. In addition, use of Alternate V with this latter clause provides the Government the right to inspect such data at the Contractor's facility.

- (b) As an aid in determining the Government's need to include Alternate II or Alternate III in the clause at 52.227-14, Rights in Data--General, the offeror shall complete paragraph (c) of this provision to either state that none of the data qualify as limited rights data or restricted computer software, or identify, to the extent feasible, which of the data qualifies as limited rights data or restricted computer software. Any identification of limited rights data or restricted computer software in the offeror's response is not determinative of the status of such data should a contract be awarded to the offeror.
- (c) The offeror has reviewed the requirements for the delivery of data or software and states (offeror check appropriate block)--

☒ None of the data proposed for fulfilling such requirements qualifies as limited rights data or restricted computer software.

☐ Data proposed for fulfilling such requirements qualify as limited rights data or restricted computer software and are identified as follows:

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-- NOTE: "Limited rights data" and "Restricted computer software" are defined in the contract clause entitled "Rights In Data--General."  
--

14 52.230-1 COST ACCOUNTING STANDARDS NOTICES AND CERTIFICATION (APR 1998)

NOTE: This notice does not apply to small businesses or foreign governments. This notice is in three parts, identified by Roman numerals I through III.

Offerors shall examine each part and provide the requested information in order to determine Cost Accounting Standards (CAS) requirements applicable to any resultant contract.

If the offeror is an educational institution, Part II does not apply unless the contemplated contract will be subject to full or modified CAS coverage pursuant to 48 CFR 9903.201-2(c)(5) or 9903.201-2(c)(6), respectively.

I. DISCLOSURE STATEMENT--COST ACCOUNTING PRACTICES AND CERTIFICATION

- (a) Any contract in excess of \$500,000 resulting from this solicitation will be subject to the requirements of the Cost Accounting Standards Board (48 CFR Chapter 99), except for those contracts which are exempt as specified in 48 CFR 9903.201-1.
- (b) Any offeror submitting a proposal which, if accepted, will result in a contract subject to the requirements of 48 CFR Chapter 99 must, as a condition of contracting, submit a Disclosure Statement as required by 48 CFR 9903.202. When required, the Disclosure Statement must be submitted as a part of the offeror's proposal under this solicitation unless the offeror has already submitted a Disclosure Statement disclosing the practices used in connection with the pricing of this proposal. If an applicable Disclosure Statement has already been submitted, the offeror may satisfy the requirement for submission by providing the information requested in paragraph (c) of Part I of this provision.

CAUTION: In the absence of specific regulations or agreement, a practice disclosed in a Disclosure Statement shall not, by virtue of such disclosure, be deemed to be a proper, approved, or agreed-to practice for pricing proposals or accumulating and reporting contract performance cost data.

(c) Check the appropriate box below:

☐ / ☐ (1) Certificate of Concurrent Submission of Disclosure Statement.

The offeror hereby certifies that, as a part of the offer, copies of the Disclosure Statement have been submitted as follows: (i) Original and one copy to

.14 (Continued)

the cognizant Administrative Contracting Officer (ACO) or cognizant Federal agency official authorized to act in that capacity (Federal official), as applicable, and (ii) One copy to the cognizant Federal auditor.

(Disclosure must be on Form No. CASB DS-1 or CASB DS-2, as applicable. Forms may be obtained from the cognizant ACO or Federal official and/or from the loose-leaf version of the Federal Acquisition Regulation.)

Date of Disclosure Statement: \_\_\_\_\_

Name and Address of Cognizant ACO or Federal  
Official Where Filed:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The offeror further certifies that the practices used in estimating costs in pricing this proposal are consistent with the cost accounting practices disclosed in the Disclosure Statement.

/ X / (2) Certificate of Previously Submitted Disclosure Statement.

The offeror hereby certifies that the required Disclosure Statement was filed as follows:

Date of Disclosure Statement: \_\_\_\_\_

Name and Address of Cognizant ACO or Federal  
Official Where Filed:

\_\_\_\_\_  
William Coddington, ACO, DCMC-GSOB

\_\_\_\_\_  
7675 Daggett Street, Suites 100/200

\_\_\_\_\_  
San Diego, CA 92111-2241

\_\_\_\_\_  
The offeror further certifies that the practices used in estimating costs in pricing this proposal are consistent with the cost accounting practices disclosed in the applicable Disclosure Statement.

C.14 (Continued)

## /\_\_\_/ (3) Certificate of Monetary Exemption.

The offeror hereby certifies that the offeror together with all divisions, subsidiaries, and affiliates under common control, did not receive net awards of negotiated prime contracts and subcontracts subject to CAS totaling more than \$25 million (of which at least one award exceeded \$1 million) in the cost accounting period immediately preceding the period in which this proposal was submitted. The offeror further certifies that if such status changes before an award resulting from this proposal, the offeror will advise the Contracting Officer immediately.

## /\_\_\_/ (4) Certificate of Interim Exemption.

The offeror hereby certifies that (i) the offeror first exceeded the monetary exemption for disclosure, as defined in (3) of this subsection, in the cost accounting period immediately preceding the period in which this offer was submitted and (ii) in accordance with 48 CFR 9903.202-1, the offeror is not yet required to submit a Disclosure Statement. The offeror further certifies that if an award resulting from this proposal has not been made within 90 days after the end of that period, the offeror will immediately submit a revised certificate to the Contracting Officer, in the form specified under subparagraphs (c)(1) or (c)(2) of Part I of this provision, as appropriate, to verify submission of a completed Disclosure Statement.

CAUTION: Offerors currently required to disclose because they were awarded a CAS-covered prime contract or subcontract of \$25 million or more in the current cost accounting period may not claim this exemption (4). Further, the exemption applies only in connection with proposals submitted before expiration of the 90-day period following the cost accounting period in which the monetary exemption was exceeded.

## II. COST ACCOUNTING STANDARDS--ELIGIBILITY FOR MODIFIED CONTRACT COVERAGE

If the offeror is eligible to use the modified provisions of 48 CFR 9903.201-2(b) and elects to do so, the offeror shall indicate by checking the box below. Checking the box below shall mean that the resultant contract is subject to the Disclosure and Consistency of Cost Accounting Practices clause in lieu of the Cost Accounting Standards clause.

K.14 (Continued).

/\_\_\_/ The offeror hereby claims an exemption from the Cost Accounting Standards clause under the provisions of 48 CFR 9903.201-2(b) and certifies that the offeror is eligible for use of the Disclosure and Consistency of Cost Accounting Practices clause because during the cost accounting period immediately preceding the period in which this proposal was submitted, the offeror received less than \$25 million in awards of CAS-covered prime contracts and subcontracts, or the offeror did not receive a single CAS-covered award exceeding \$1 million. The offeror further certifies that if such status changes before an award resulting from this proposal, the offeror will advise the Contracting Officer immediately.

CAUTION: An offeror may not claim the above eligibility for modified contract coverage if this proposal is expected to result in the award of a CAS-covered contract of \$25 million or more or if, during its current cost accounting period, the offeror has been awarded a single CAS-covered prime contract or subcontract of \$25 million or more.

### III. ADDITIONAL COST ACCOUNTING STANDARDS APPLICABLE TO EXISTING CONTRACTS

The offeror shall indicate below whether award of the contemplated contract would, in accordance with subparagraph (a) (3) of the Cost Accounting Standards clause, require a change in established cost accounting practices affecting existing contracts and subcontracts.

/\_\_\_/ YES

/x/ NO

### 1.15 GENERAL FINANCIAL AND ORGANIZATIONAL INFORMATION

Offerors are requested to provide information regarding the following items in sufficient detail in their technical proposal to allow a full and complete business evaluation. If the question indicated is not applicable or the answer is none, it should be annotated. If the offeror has previously submitted the information, it should certify the validity of that data currently on file at

\_\_\_\_\_  
or update all outdated information on file.

(a) Offeror's Name:

Science Applications International Corporation, Technology Services Company

.5 (Continued)

- (b) Address (If financial records are maintained at some other location, show the address of the place where the records are kept):

10260 Campus Point Drive, San Diego, CA 92121

c/o One Enterprise Parkway, Suite 300, Hampton, VA 23666

- (c) Telephone Number: (757) 825-0001

- (d) Individual(s) to contact regarding this proposal:

- (e) Cognizant Government Audit Agency:

Defense Contract Audit Agency

Address: 10260 Campus Point Drive, Mail Stop F1, San Diego, CA 92121

Auditor: Noel Murrell

- (f) Work Distribution for Last Completed Fiscal Accounting Period.

- (1) Sales: (for TSC)

Government cost-reimbursement type prime contracts and subcontracts: \$

Government fixed-price prime contracts and subcontracts: \$

Commercial Sales: \$

Total Sales: \$

(2) Total Sales for offeror's first and second fiscal years immediately preceding last completed fiscal year.

Total Sales for First Preceding Fiscal Year \$

Total Sales for Second Preceding Fiscal Year \$

- (g) Is company a separate entity, division, or subsidiary corporation?

Yes

No. ☒

If yes, name the parent company:

- (h) Date Company Organized: 1969

K.15 (Continued)

(i) Staffing: (for TSC)

(1) Total Employees:                     (2) Direct:                     (3) Indirect:                     (4) Standard Work Week (Hours):                     (j) Commercial Products: N/A - All commercial work is for services.

(k) Attach a current organizational chart of the company.

(l) Description of offeror's system of estimating and accumulating costs under Government contracts. (Check appropriate blocks.)

	Estimated/ Actual Cost	Standard Cost
Estimating System		
Job Order	<u>X</u>	<u>                    </u>
Process	<u>X</u>	<u>                    </u>
Accumulating System		
Job Order	<u>X</u>	<u>                    </u>
Process	<u>X</u>	<u>                    </u>

(2) Has the offeror's cost estimating system been approved by any Government agency?

Yes XNo                     If yes, give name and location of agency: DCMC,7675 Daggett Street, Suites 100/200, San Diego, CA 92111-2241

(3) Has the offeror's cost accumulation system been approved by any Government agency?

Yes XNo                     If yes, give name and address of agency: DCMC(see (2) above for address)



C.15 (Continued)

(m) What is the offeror's fiscal year period? (Give starting month and ending month):

February 1 - January 31

What were the indirect cost rates for the last completed fiscal year?

Fiscal	Indirect Cost Rate	Basis of Year Allocation
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
Other	N/A	N/A

(n) Have the proposed indirect cost rate(s) been evaluated and accepted by any Government agency?

Yes X No \_\_\_\_\_  
 \*Except Overhead which has been specifically developed for this proposal.  
 If yes, give name and location of the Government agency:

DCMC, San Diego

Date of last preaward audit review by a Government agency:  
5/20/99 Submission of Forward Pricing Rate Proposal

(If the answer is no, data supporting the proposed rates must accompany the cost or price proposal. A breakdown of the items comprising overhead and G&A must be furnished.)

(o) Cost estimating is performed by:

Accounting Department \_\_\_\_\_ Contracting Department X

Other (describe) \_\_\_\_\_

(p) Has system of control of Government property been approved by Government agency?

Yes X No \_\_\_\_\_

If yes, give name and location of the Government agency:

DCMC, San Diego

K.15 (Continued)

(q) Purchasing Procedures:

Are purchasing procedures written?

Yes X

No \_\_\_\_\_

Has the purchasing system been approved by a Government agency?

Yes X

No \_\_\_\_\_

If yes, give name and location of the Government agency:

DCMC, San Diego

(r) Does the offeror have an established written incentive compensation or bonus plan?

Yes X

No \_\_\_\_\_

K.16 CERTIFICATION

I hereby certify that the responses to the above Representations, Certifications and other statements are accurate and complete.

Signature: Anthony M. DavisTitle : Corporate Vice PresidentDate : 12/16/99